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Attorneys for Defendants/Cross-Claimants
JOHN M. AND FLORENCE E. BRYAN
TRUST

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re Case No. 05-14659

THE LEGACY ESTATE GROUP, LLC,
formerly doing business as FREEMARK
ABBEY WINERY, BYRON VINEYARD &
WINERY, and ARROWOOD VINEYARD &
WINERY

Debtor

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF DEFENDANTS' MOTION
TO WITHDRAW REFERENCE**

Adv. No. 06-01173

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF THE LEGACY ESTATE
GROUP, LLC,

Plaintiff,

v.

1 JOHN M. BRYAN, JOHN M. AND
2 FLORENCE E. BRYAN TRUST, J.M. BRYAN
3 FAMILY TRUST, KULWINDER SIDHU,
4 DEVINDER SIDHU, PACIFIC PARAGON
5 INVESTMENT FUND LTD, a British Columbia
company, HARRY CHEW, and AIC CAPITAL
PARTNERS, LLC, a California limited liability
company

6 Defendants.

7 JOHN M. BRYAN, JOHN M. AND
8 FLORENCE E. BRYAN TRUST, J.M. BRYAN
9 FAMILY TRUST,

10 Defendants/Cross-Claimants,

11 v.

12 KULWINDER SIDHU, DEVINDER SIDHU,
13 PACIFIC PARAGON INVESTMENT FUND
14 LTD, a British Columbia company, HARRY
15 CHEW, AIC CAPITAL PARTNERS, LLC, a
California limited liability company, and
LAMINAR DIRECT CAPITAL, L.P., a Texas
limited partnership

16 Defendants/Cross-Defendants.

17 TO THE COURT, ALL PARTIES AND TO TRIAL ATTORNEYS OF RECORD:

18 Defendants JOHN M. BRYAN, JOHN M. AND FLORENCE E. BRYAN TRUST, J.M.
19 BRYAN FAMILY TRUST (hereinafter collectively the "Bryan Defendants") by and through their
20 attorney, hereby requests that the Court take judicial notice pursuant to Federal Rule of Evidence 201
21 of the following facts:

- 22 1. The Official Committee of Unsecured Creditors (the "Committee") filed a First
23 Amended Complaint for Damages and Declaratory and Equitable Relief, Including
24 Subordination of Certain Claims on November 22, 2006, a true and correct copy of
25 which is attached as Exhibit 1.
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2. The Bryan Defendants filed an Answer to Plaintiff's First Amended Complaint and Cross-Claim for Fraudulent Misrepresentation, Negligent Misrepresentation and Damages on January 5, 2007, a true and correct copy of which is attached as Exhibit 2.
3. The Bryan Defendants filed a Notice of Motion to Certify Proceeding to District Court for Trial by Jury Pursuant to Bankruptcy Local Rule 9015-2, with an accompanying Memorandum of Points and Authorities in Support on February 16, 2007, a true and correct copy of which is attached as Exhibit 3.
4. Laminar Direct Capital L.P.' filed a Response to Motion to Certify Proceeding to District Court for Trial by Jury Pursuant to Bankruptcy Local Rule 9015-2 on February 22, 2007, a true and correct copy of which is attached as Exhibit 4.
5. The Official Committee of Unsecured Creditors filed an Opposition to Bryan Defendants' Motion to Certify Proceeding to District Court for Trial by Jury Pursuant to Bankruptcy Local Rule 9015-2 on February 22, 2007, along with the Declaration of John H. MacConaghy In Support of Plaintiff's Opposition. True and correct copies of the opposition and declaration are attached hereto as Exhibit 5.
6. On February 23, 2007 the court considered oral argument regarding the Bryan Defendants' Motion to Certify Proceeding to District Court for Trial by Jury. Attached hereto as Exhibit 6 is a true and correct copy of the court transcript of the hearing.
7. On March 28, 2007 the court issued a Memorandum re Motion to Certify Case to District Court for Jury Trial, a true and correct copy of which is attached hereto as Exhibit 7.
8. On May 11, 2007 the court issued an Order of Abstention regarding Cross-Defendant Laminar Direct Capital, L.P.'s Motion to Dismiss Cross-Claim for Fraudulent Misrepresentation, Negligent Misrepresentation and Damages, a true and correct copy of which is attached hereto as Exhibit 8.

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Dated: May 23, 2007

Respectfully submitted,

NIXON PEABODY LLP

By: /s/ ROSALYN P. MITCHELL
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BETH L. MITCHELL
ROSALYN P. MITCHELL
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FAMILY TRUST